Training the Cultural Resource Manager

A Training Module for the Cultural Resource Manager for the Department of Defense (DoD)

Training the Cultural Resource Manager

Module 1
Fundamentals of Cultural Resource Management

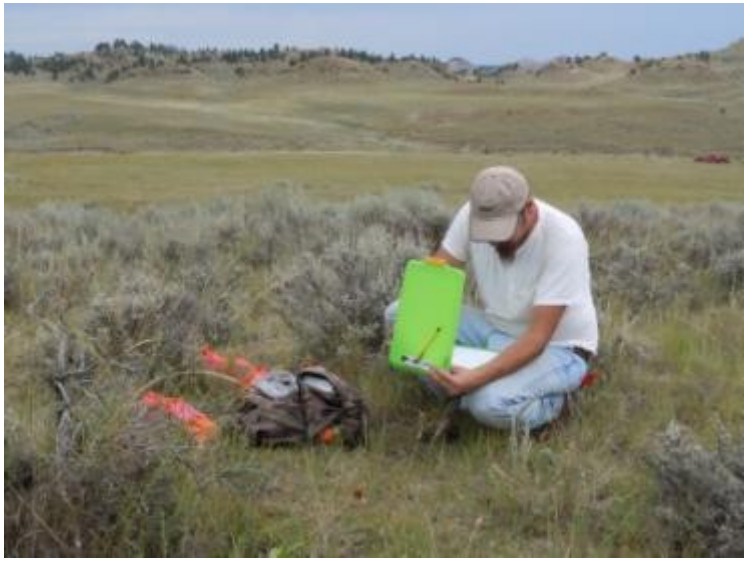
What is Cultural Resource Management?

Cultural Resource Management (CRM) is a practice devoted towards the management and stewardship of cultural resources.

As stewards for the public trust, DoD Cultural Resource Managers* are charged with the identification, and management of cultural resources and, by doing so, simultaneously facilitate the mission and preserve our cultural resources.

Mandated by federal and state legislation, proper cultural resource management , requires a fundamental understanding of the historic value of the resource, and how Federal actions may have an impact on cultural resources.

** The term Cultural Heritage Manager, Cultural Resource Specialist, and similar variations are also used.*



Frequently Asked Questions

- What are Cultural Resources?
- Why are Cultural Resources important?
- What are the key legal drivers/regulations that affect or drive protection of our cultural resources?
- How do I identify Cultural Resources?
- How do I manage Cultural Resources?

Cultural Resources Are Defined As:

A **historic property** (or **historic resource**) is defined in the National Historic Preservation Act (NHPA) [16 U.S.C. § 470w(5)] NHPA 1966 as any "prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion on, the National Register of Historic Places, including artifacts, records, and material remains related to such a property or resource."

Following National Register Bulletin No. 36, NR Bulletin Link "Guidelines for Evaluating and Registering Archaeological Properties" an **archaeological site** is "a location that contains the physical evidence of past human behavior that allows for its interpretation." The term archaeological site refers to those that are eligible for or are listed on the National Register (historic properties) as well as those that do not qualify for the

Cultural Resources

- Archaeology
- Architecture
- Landscapes
- Traditional Cultural Properties
- Folklore
- Shipwrecks
- Cemeteries & Burials
- Objects can be defined as an:
  - archaeological artifact, or as,
  - architectural history (e.g., a built feature that is small in scale and frequently commemorative in nature – such as a statue)

More Specifically, Cultural Resources Are…

HISTORIC PROPERTIES:

as defined by the National Historic Preservation Act (NHPA)

- "…any prehistoric or historic district, site, building, structure, or object **included in, or eligible for inclusion in, the National Register of Historic Places**…includes artifacts, records, and remains that are related to and located within such properties…includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria." 36 CFR 800.16(l)(1)

CULTURAL ITEMS:

as defined by the Native American Graves Protection and Repatriation Act (NAGPRA)

- Human remains
- Physical remains of the body of a person of Native American ancestry
- Funerary objects
- Items that have been intentionally placed at the time of death with or near the individual human remains
- Associated funerary objects
- Unassociated funerary objects
- Sacred objects
- Specific ceremonial objects that are need by traditional Native American religious leaders for the practice of traditional Native American religions by their present-day practitioners
- Objects of cultural patrimony
- Items that have ongoing historical, traditional, or cultural importance central to the Native American tribe or Native Hawaiian organization itself; of such central importance that they may not be alienated, appropriated, or conveyed by any individual member

ARCHAEOLOGICAL RESOURCES:

as defined by the Archaeological Resources Protection Act (ARPA)

- Any material remains of human life or activities that are **at least 100 years old** and that are of **archaeological interest**

More Specifically, Cultural Resources Are… (cont.)

SACRED SITES:

as defined by Executive Order (EO) 130007, *Indian Sacred Sites*, to which access is afforded under the American Indian Religious Freedom Act (AIRFA)

- Specific, discrete, narrowly delineated location on **Federal property** that has been identified by a Tribe, or appropriate representative thereof, as being sacred by virtue of its **established** religious significance to, or ceremonial use by a Native American religion.

ARCHAEOLOGICAL COLLECTIONS:

as defined by 36 CFR 79, *Curation of Federally-Owned and -Administered Archaeological Collections*

- **Material remains** that are excavated or removed during an archaeological survey, excavation or other study of prehistoric or historic resources
- Artifacts – objects that have been made or modified by humans
- Non-cultural remains – collected objects that are natural but have cultural or archaeological significance
- **Associated records** that are prepared or assembled in connection with the survey, excavation or other study of prehistoric or historic resources

SIGNIFICANT PALEONTOLOGICAL RESOURCES:

as described by the Antiquities Act of 1906

- Paleontological resource – fossils and associated physical items and data that contribute to the understanding of the fossils
- Fossil – preserved remains, traces, or impressions of living organisms from a former geologic age

Value of Cultural Resources

“Cultural resources can benefit both the mission and the military budget if they are properly managed and integrated into the operations of the agency, installation, or base. What is needed is an understanding of the value of the resources, the imagination to see how they can be used, and a willingness to undertake the task.”

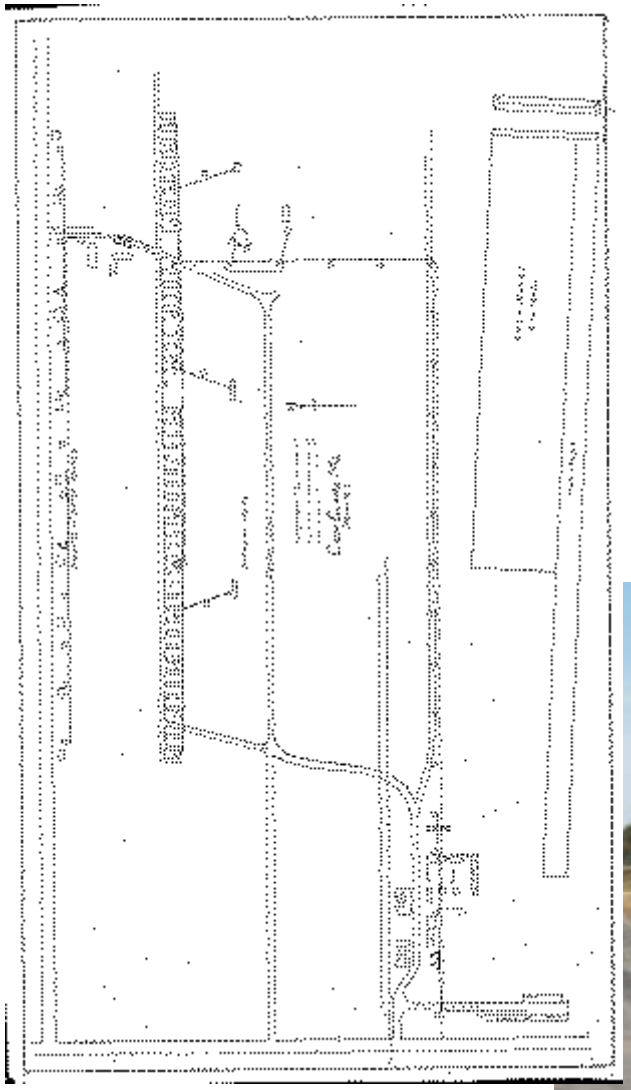
According to the Department of Defense, “Recognizing and preserving such resources is one way in which society can impart its culture to future generations. Culturally significant buildings, landscapes, objects, and documents are the embodiment of shared historical experiences. They are the tangible evidence of national memory. ”(Legacy Resource Management Program 1994)

How does the preservation of cultural resources affect us today?

Can the preservation of cultural resources enhance the value of federal property?

- Cultural Resources create tangible links to our past and those who were here before us;
- Historic preservation is a powerful element in a community and economic development, and an essential tool for DoD stewardship and regulatory compliance;
- Well preserved and cared for Cultural Resources can instill a sense of tradition and pride in our heritage;
- DoD property is publicly owned land and we, as the land manager, must be good stewards –ensuring compliance with all federal and state requirements.

Why are cultural resources important?



- Cultural resources provide information regarding our heritage, our practices, and our beliefs – these resources contribute to our sense of place and identity;

- Non-renewable resource – once destroyed the resource can never be restored.

This is why it is critical to document cultural resources before they are lost forever.

- DoD land is publicly owned land and the CRM, as a steward for the public trust – has to ensure compliance with all federal and state requirements.

Training the Cultural Resource Manager

Module 2

Federal and State Legislation

Mandated by Legislation (Federal)

The DoD has responsibilities under a number of Federal, State, Local and DoD laws that influence the way Section 106 duties are conducted. Section 800.3 (b) of ACHP's regulations specifically encourages coordination of Section 106 responsibilities with any reviews required under other authorities" such as NEPA, NAGPRA, AIRFA, ARPA, and agency-specific legislation.

A list of important federal legislative mandates and web links are included that provide detailed definitions of each of the listed Federal legislation orders that drive how cultural resources are protected. *Legislations in **bold** are particularly relevant in day-to-day activities* Appendix - Legislation

Federal

- **National Historic Preservation Act of 1966 (NHPA)** - NHPA Detailed Description
- **Native American Graves Protection and Repatriation Act of 1990 (NAGPRA)** - NAGPRA Detailed Description
- **Archeological and Historic Preservation Act of 1974 (AHPA)** - AHPA Detailed Description
- **National Environmental Policy Act of 1969 (NEPA)** - NEPA Detailed Description
- **Archaeological Resources Protection Act of 1979 (ARPA)** -ARPA Detailed Description
- **Antiquities Act 1906** - Antiquities Act Detailed Description
- **Historic Sites Act 1935** - Historic Sites Act Detailed Description
- Public Buildings Cooperative Use Act of 1976 (PBCUA) - PBCUA Detailed Description
- American Indian Religious Freedom Act of 1978 (AIRFA) - AIRFA Detailed Description
- Abandoned Shipwreck Act of 1987 (ASA) - ASA Detailed Description
- Americans with Disabilities Act of 1990 (ADA) - ADA Detailed Description
- 36 CFR 60 - The National Register of Historic Places - 36CFR60 Detailed Description
- 36 CFR 68 - The Secretary of the Interior's Standards for the Treatment of Historic Properties - 36CFR68 Detailed Description
- 36 CFR 63 – Determinations of Eligibility for Inclusion in the National Register of Historic Places - 36CFR63 Detailed Description
- **36 CFR 800** – Protection of Historic and Cultural Properties - 36CFR800 Detailed Description
- **36 CFR 79** – Curation of Federally-Owned and

Mandated by Executive Orders and Presidential Memoranda (Federal)

A list of important Executive Orders and Presidential Memoranda and web links are included that provide detailed definitions of each of the listed Federal legislation orders that drive how cultural resources are protected. *Legislations in **bold** are particularly relevant in day-to-day activities* Appendix – Legislation

Federal

- **Executive Order 13007** - Indian Sacred Sites - EO13007 Detailed Description
- Executive Order 11593 - Protection and Enhancement of the Cultural Environment - EO11593 Detailed Description
- Executive Order 13006 - Locating Federal Facilities on Historic Properties in our Nation's Central Cities - EO13006 Detailed Description
- Executive Order 13175 - Consultation and Coordination with Native American Tribal Governments - EO13175 Detailed Description
- Executive Order 13287 - Preserve America - EO13287 Detailed Description
- Executive Order 13327 - Federal Real Property Asset Management - EO13327 Detailed Description
- Executive Order 13423 - Strengthening Federal Environmental, Energy, and Transportation - EO13423 Detailed Description
- Executive Order 13514 - Federal Leadership in Environmental, Energy, and Economic Performance - EO13514 Detailed Description
- Presidential Memorandum - Government-to-Government Relations with Native American Tribal Governments - Presidential Memorandum - Govt-to-Govt
- Presidential Memorandum - Policy Concerning Distribution of Eagle Feathers for Native American Religious Purposes – Presidential Memorandum - Use of Eagle Feathers

Military Regulations or Guidelines for protecting Cultural Resources (Department of Defense)

A list of important DoD mandates and guidelines and their websites that provide information on DoD regulations that drive how cultural resources are protected on military installations under each branch of the DoD. *Legislations in **bold** are particularly relevant in day-to-day activities* Appendix – Legi

Department of Defense

- **Department of Defense Instruction 4715.16 – Cultural Resource Management** - DoDI 4715.16 Description and Additional Information
- Department of Defense Instruction 4710.02 – DoD Interactions with Federally Recognized Tribes - DoDI 4710.02 Description and Additional Information
- Department of Defense Instruction- 4715.3 – Environmental Conservation Program - DoDI 4715.3 Description and Additional Information
- Department of Defense Instruction 4710.03 – Consultation Policy with Native Hawaiian Organizations – DoDI 4710.03 Description and Additional Information
- Annotated Department of Defense American Indian and Alaska Native Policy - DoD American Indiana and Alaska Native Policy
- Department of Defense Minimum Antiterrorism Standards for Buildings – DoD Minimum Antiterrorism standards for Buildings
- Department of Defense Instruction 4715.5 – Management of Environmental Compliance at Overseas Installations - DoDI 4715.5 Description and Additional Information
- Department of Defense Instruction 4715.05-G –

Military Regulations or Guidelines for protecting Cultural Resources (Individual Departmental Guidelines)

A list of important Army guidelines and regulations along with their websites that provide information on how cultural resources are protected on Army installations. *Legislations in **bold** are particularly relevant in day-to-day activities* Appendix – Legislation

Army Guidelines and Regulations

- Army - U.S. Army Historic Preservation Program
- 32 CFR 651 – Environmental Analysis of Army Actions - 32CFR651 Detailed Description
- **Army Regulation 200-1** – Environmental Protection and Enhancement – Army Regulation 200-1 Detailed Description
- U. S. Army Corp of Engineers, Civil Works, Policy Guidance Letter 57: Tribal Policy Principles. 1998. “Consulting with Tribal Nations: A Guide for the US Army Corps of Engineers”. - Tribal Policy Principles Detailed Description
- Army American Indian and Alaska Native Policy - Army American Indian and Native Alaskan Policy Description
- Army Post Cemeteries Way Ahead - Assessment of Military Cemeteries
- Memorandum: Department of the Army Inspector General (DAIG) Post Cemetery Inspection - Detailed Description

Military Regulations or Guidelines for protecting Cultural Resources (Individual Departmental Guidelines)

A list of important Navy and Marine guidelines and regulations along with their websites that provide information on how cultural resources are protected on Navy and Marine installations. *Legislations in **bold** are particularly relevant in day-to-day activities* Appendix – Legislation

Navy and Marine Guidelines and Regulations

- 32 CFR 775 - Procedures for Implementing the National Environmental Policy Act - 32CFR775 Detailed Description
- SECNAV Instruction 4000.35A – Department of the Navy Cultural Resources Program – 4000.35A Detailed Description
- SECNAV Instruction 11010.14A – Department of the Navy Policy for Consultation with Federally Recognized Tribes – 11010.14A Detailed Description
- MCO P5090.2A – Environmental Compliance and Protection Manual - MCO P5090.2A Detailed Description
- MCO P5750.1G – Manual for the Marine Corps Historical Program – MCO P5750.1G Detailed Description
- U.S. Marine Corps Guidance for Completion of an Integrated Cultural Resources Management Plans - USMC ICRMP Guidance
- Navy - NAVFAC Cultural Resources and U.S. Navy - Historic Preservation Program
- MCAS Environmental Compliance Program Standard Operating Procedures (ECSOP), Chapter 9, Historic and Archaeological Resources Protection - USMC Environmental Compliance and Protection

Military Regulations or Guidelines for protecting Cultural Resources (Individual Departmental Guidelines)

A list of important Air Force guidelines and regulations along with their websites that provide information on how cultural resources are protected on Air Force installations. *Legislations in **bold** are particularly relevant in day-to-day activities* Appendix – Legis

Air Force Guidelines and Regulations

- 32 CFR 989 – Environmental Impact Analysis Process - 32CFR989 Detailed Description
- Air Force Instruction 32-7065 – Cultural Resource Management Program – 32-7065 Detailed Description
- Air Force Instruction 32-7062 – Air Force Comprehensive Planning – 32-7062 Detailed Description
- Air Force Instruction 32-7061 – Air Force Environmental Impact Analysis Process – 32-7061 Detailed Description
- **Air Force Handbook (AFH) 10-222, Volume 4 – Environmental Guide for Contingency Operations Overseas** - AFH 10-222 Detailed Description
- Air Force Instruction 32-7001 – Environmental Management – 32-7001 Detailed Description
- Air Force Policy Directive 32-70 – Environmental Quality - 32-70 Detailed Description

Military Regulations or Guidelines for protecting Cultural Resources (Individual Departmental Guidelines)

A list of important Army National Guard guidelines and regulations along with their websites that provide information on how cultural resources are protected on Army National Guard installations. *Legislations in **bold** are particularly relevant in day-to-day activities* Appendix – Legislation

Army National Guard Guidelines and Regulations

- **ARNG** – Army National Guard Historic Preservation Program
- National Guard Bureau – ARE-C All States Letter (P02-0058) – Cultural Resources Management Policy Guidance – NGB Guidance
- National Guard Bureau – ARE-C ICRMP Guidance – NGB-ICRMP
- Memorandum: Applicability of National Historic Preservation Act Consultation Requirements to Disposal, Change in Use or Demolition of Historic Readiness Centers – NGB-Memorandum
- Memorandum: Policy Guidance for Management of Historic Properties within the Army National Guard – NGB-Memorandum
- Memorandum: National Guard Bureau Memorandum of Agreement (MOA) Template for National Historic Preservation Act Section 106 Undertakings Affecting Above Ground Historic Resources – NGB-Memorandum
- Memorandum: National Guard Bureau Memorandum of Agreement (MOA) Template for National Historic Preservation Act Section 106 Undertakings Affecting Below-Ground Historic Resources – NGB-Memorandum
- New State ARNG ACHP Contact Guidance – ARNG-ACHP
- Memorandum: National Guard Bureau (NGB) Guidance for the Completion and Implementation of Programmatic Agreements under the National Historic Preservation Act – NGB-NHPA
- Memorandum: National Guard Bureau Guidance for Federally Recognized Native American (Tribes) Memorandums of Understanding – NGB-MOU

Mandated by Legislation (State)

In addition to Federal laws, it is equally important to follow individual State laws regarding protection and treatment of state resources. Pertinent state laws can be found on individual state SHPO websites SHPO Websites.

State Historic Preservation Laws

Below is a list of important State laws that need to be addressed prior to an undertaking.

- Permits for Excavation
- Protection of Human and Skeletal Remains
- Protection of Native American Graves
- Conservation and Preservation Easements
- Protection of Historic and Prehistoric Sites
- Credit for Qualified Rehabilitated Buildings Investment

NCSHPO

National Council of State Historic Preservation Officers

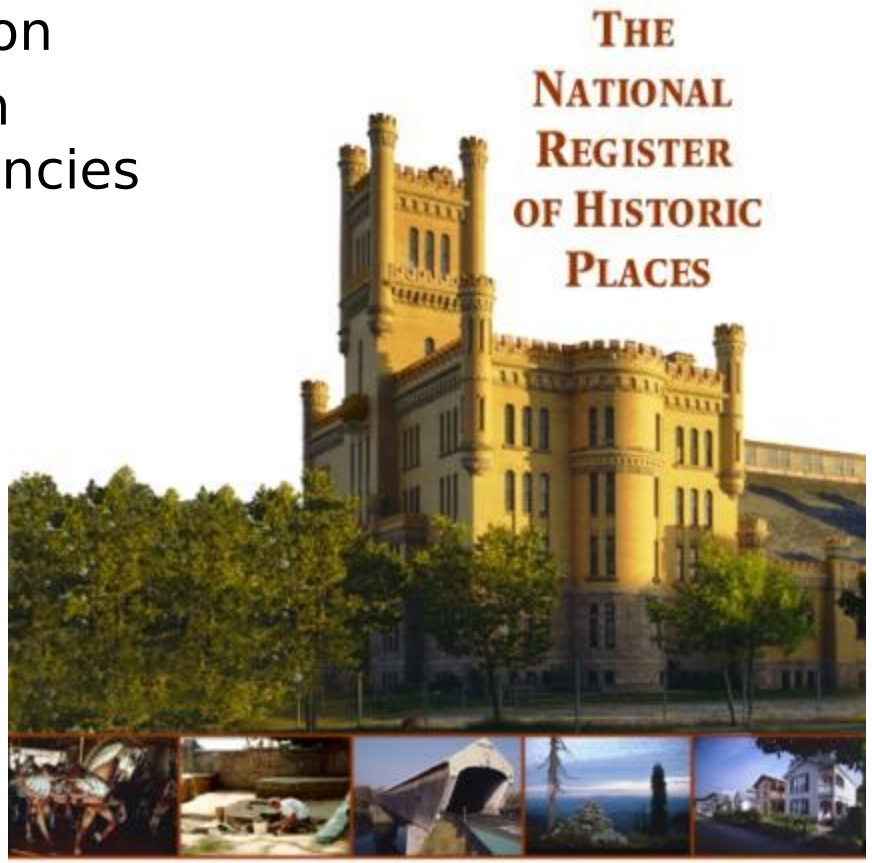
Training the Cultural Resource Manager

Module 1.5

Key Legislation and how they are applied to DoD projects

National Historic Preservation Act (NHPA)

- Primary historic preservation law
- Established the basic framework for the practice of historic preservation
- Assigned historic preservation responsibilities to Federal agencies

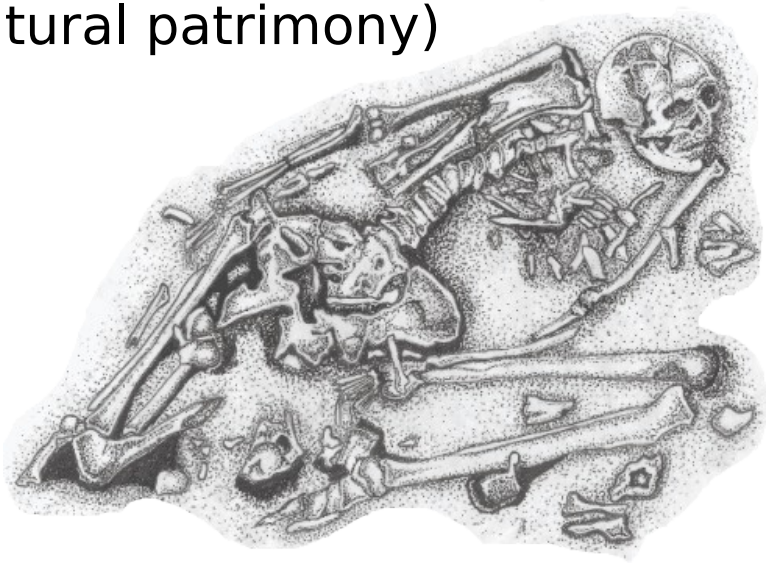


For a detailed discussion on how NHPA affects DoD projects on installations, click here
Module 1 - NHPA

Native American Graves Protection and Repatriation Act (NAGPRA)

- Intentional excavation/inadvertent discoveries (e.g., human remains, funerary objects, sacred objects, objects of cultural patrimony) on Federal and tribal lands
- Collections
  - Human remains and associated funerary objects
  - Other cultural items (unassociated funerary objects, sacred objects, objects of cultural patrimony)

For a detailed discussion on how NAGPRA affects DoD projects on installations, click here Module 2 -NAGPRA



Archaeological Resources Protection Act (ARPA)

- Federal Land
- Federal Permitting
- Prohibited Acts (Unauthorized excavation, removal, damage, alteration, or defacement of archaeological resources) and Criminal Penalties

For a detailed discussion on how ARPA affects DoD projects on installations, click here
Module 3 - ARPA

A • THIEF
OF • TIME
He's Stealing From You
The remains of prehistoric and historic cultures are part of our heritage. When artifacts are stolen and archaeological sites are destroyed, we lose important clues about the past, forever. Strict laws protect artifacts and sites on State, Federal and Indian lands.
= Be A Steward Of The Past =

Archaeological Collections Management

- What are archaeological collections (material remains & associated records)?
- Tasks associated with archaeological collections include: locating collections (where are they stored?), assessing collections (were collections curated correctly?), bringing collections up to standards, storing the collections (safe and secure), using the collections (exhibits, loans), inspections and inventories (do you know where all the collection is at all times?), funding curation, collections management documents (was each collection curated to state and federal guidelines?)

For a detailed discussion on archaeological collections management for DoD projects, click here
Module 4 - Archaeological Collections Management

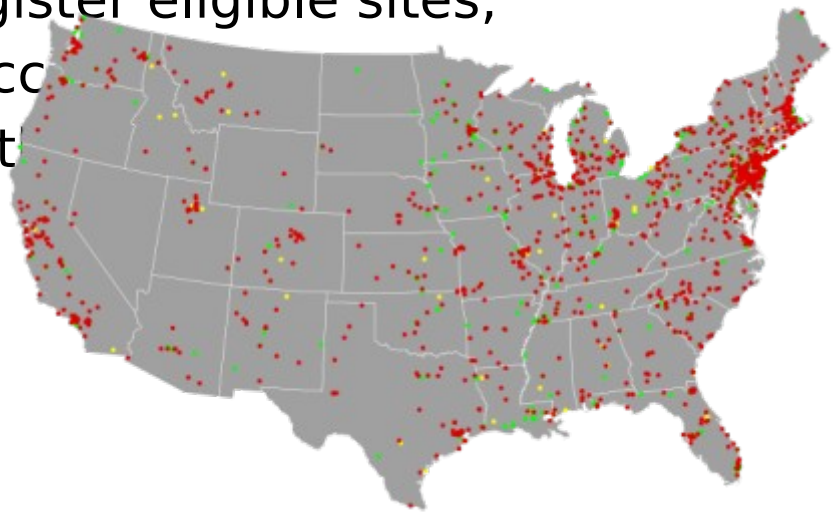
National Environmental Policy Act (NEPA)

- Requires DoD to consider alternatives to a proposed action;
- Obligates DoD to consider impacts of their actions to the human environment (physical, natural, cultural and social);
- Ensures DoD will provide an opportunity for public input into the decision-making process;
- Still must comply with environmental and cultural resource legal requirements.
- NEPA and Section 106 requirements can be complied with concurrently or together based on the proponent's needs/requirements

For a detailed discussion on how NEPA affects DoD projects on installations, click here
Module 5 - NEPA

National Historic Preservation Act (NHPA) & Comprehensive Environmental Response Compensation and Liability Act (CERCLA)

- Understand the importance of Integrating NHPA into the CERCLA site plan;
- Understand the importance of consultation during the Section 106 process (during the public phase/feasibility study);
- Common interest “Protection” that is what both regulations are all about.
- CRM should be included in CERCLA clean up site planning, to address issues of National Register eligible sites;
- Consultation is the key to the succ
  of both regulations working toget



For a detailed discussion on how NHPA and CERCLA affects DoD projects on installations, click here
Module 6 - NHPA and CERCLA

Training the Cultural Resource Manager

Module 2

How Are Cultural Resources Identified?

What is an Undertaking?

NHPA defines “undertaking” as a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency including:

A. Those carried out by or on behalf of the agency;
B. Those carried out with Federal financial assistance;
C. Those requiring a Federal permit, license, or approval; and
D. Those subject to State of local regulation administered pursuant to a delegation or approval by a Federal agency

For further detailed information see the following link [Archaeology Guidance]

- Proposed projects or “undertakings” may have the potential to affect historic properties. A historic property (or historic resource) is defined in the NHPA [16 U.S.C. § 470w(5)] as any “prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion on the National Register of Historic Places including artifacts, records, and material remains related to such a property or resource.”

- All kinds of effects need to be considered:

Does the undertaking have the potential to affect historic properties?

An undertaking has the potential to affect historic properties if it will:

- Change a building or structure in any way; or
- Disturb the ground; or
- Produce something visible; or
- Produce something audible; or produce something that smells; or
- Change land use; or
- Change traffic patterns; or
- Change social, cultural , or economic patterns.

Potential does not mean certainty, it means reasonable possibility.

Background on Protocol & Process

Section 106 process is designed to accommodate preservation of our nation's heritage while allowing the development, maintenance, and adaptation of properties necessary to maintain and improve the Department of Defense programs, operations, and personnel.

- Plans for proposed changes to historic buildings, development of new training areas, construction on a prominent visual landmark, fall under the purview of Section 106 requirements.

- Prominent players in the process would include:
  - Cultural Resources Manager (CRM)
  - The State Historic Preservation Office (SHPO)
  - Tribal Historic Preservation Officer (THPO)
  - Advisory Council on Historic Preservation (ACHP)

- Management agreements with other agencies or entities. Who else on post might be involved in CRM? (e.g. engineering, range, energy, planning, public works, public research/interest)

- Additional resources that provide valuable information to the CRM.

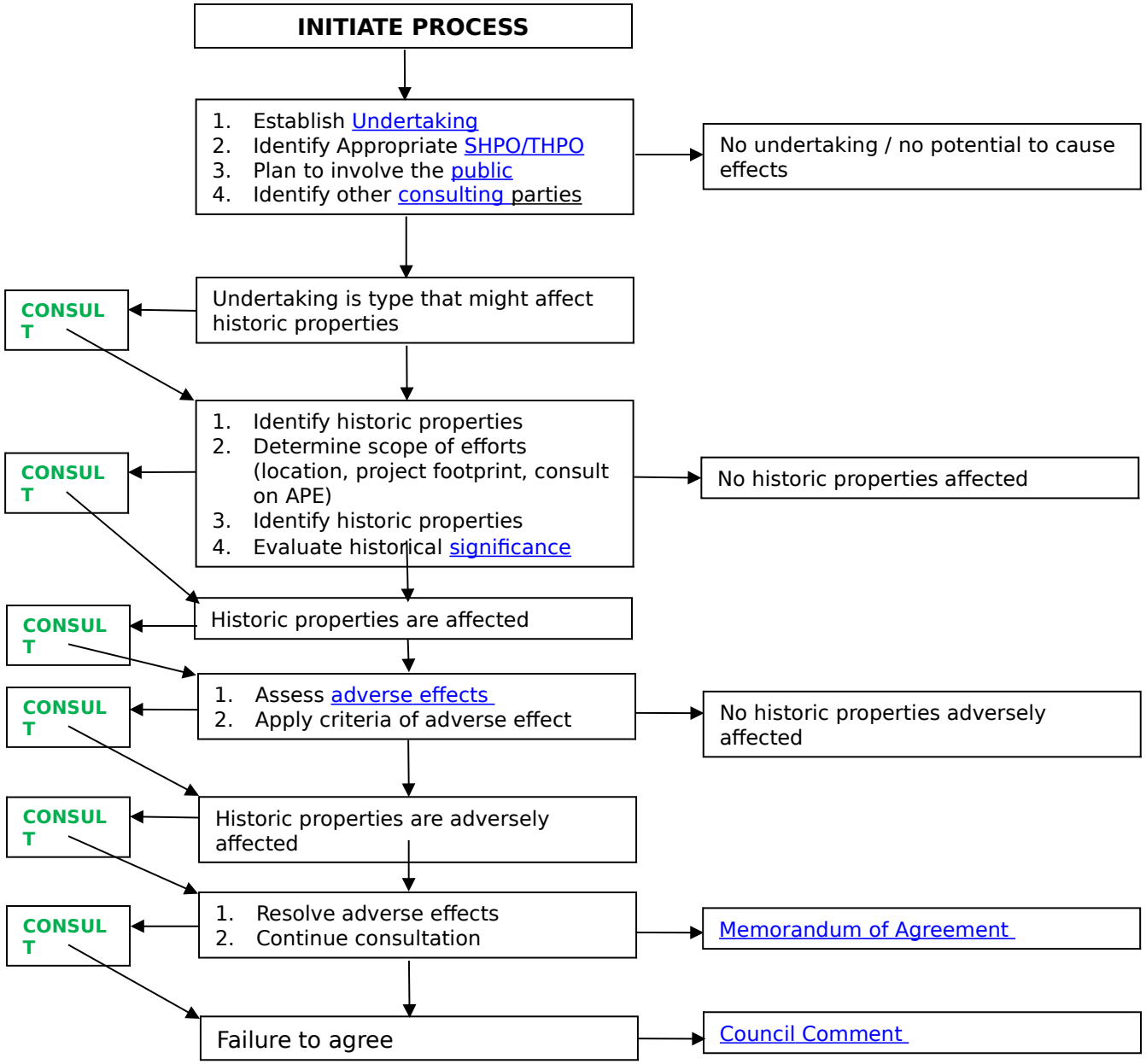
  Federal Agency Historic Preservation Programs and Officers

  Archaeology Tools

  National Register Links and Publications

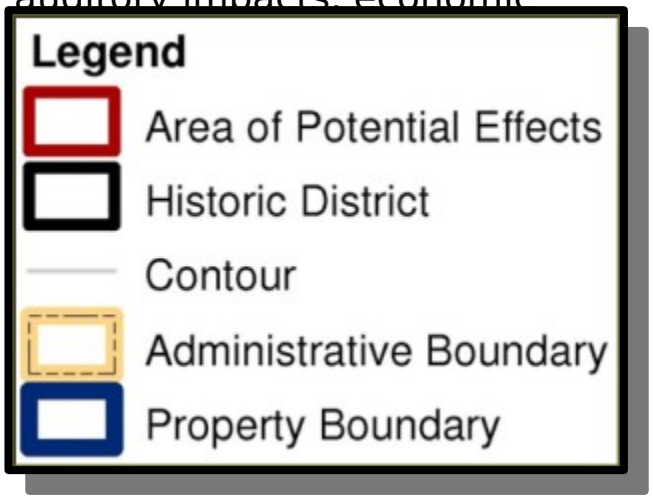
  Cultural Resource Laws

NATIONAL HISTORIC PRESERVATION ACT – SECTION 106 COMPLIANCE
How It Works



Area of Potential Effect (APE) and Project Footprint

The Project footprint will include the direct impacts of a project such as the foundation of a new building or the corridor of a new road. However the APE will also include indirect impacts such as staging areas, equipment access roads, visual and auditory impacts, economic



- The lead federal agency makes the Effect Determination; with the assistance of the SHPO and the THPO, and not the consultant.
- It is very important for the agency to maintain control of the effect determination process. The agency can hire consultants to gather information and make recommendations on their behalf. The agency then uses all information gathered to determine effect and requests concurrence from the SHPO/THPO.
- If the agency does not maintain control of the determination of effect, then confusion, delay, and conflict may occur. The regulations do not include a process for resolving an agency's disagreement with a SHPO or THPO determination, but only for the reverse.
- 36 CFR § 800.4(b)(1) - Definition
- 36 CFR § 800.13 - Definition

A common mistake in APE definition is to equate the APE with the project footprint.

Native American Consultation:

If an undertaking may affect properties of traditional religious or cultural significance to a Federally-recognized Native American Tribe, then it is critical to initiate consultation on a government-to-government basis with **Federally *Recognized Native American Tribes***.

Formal government-to-government consultation with Federally recognized Native American tribes will occur only between the garrison commander (GC), installation Commander, or the Adjutant General (TAG) of a state ARNG and the heads of tribal governments. Follow-on activities may be accomplished by staff.

Simply sending letters to tribes is not a reasonable effort.

Stakeholders - Parties that have consultative roles in the Section 106 process, including SHPOs; Native American tribes; Native Hawaiian organizations; representatives of local governments; applicants for Federal permits, licenses, and other approvals; and other individuals and organizations with demonstrated interest in the undertaking or the affected historic properties.

Native Americans, Native Hawaiians, and Alaska Native are different under the law.

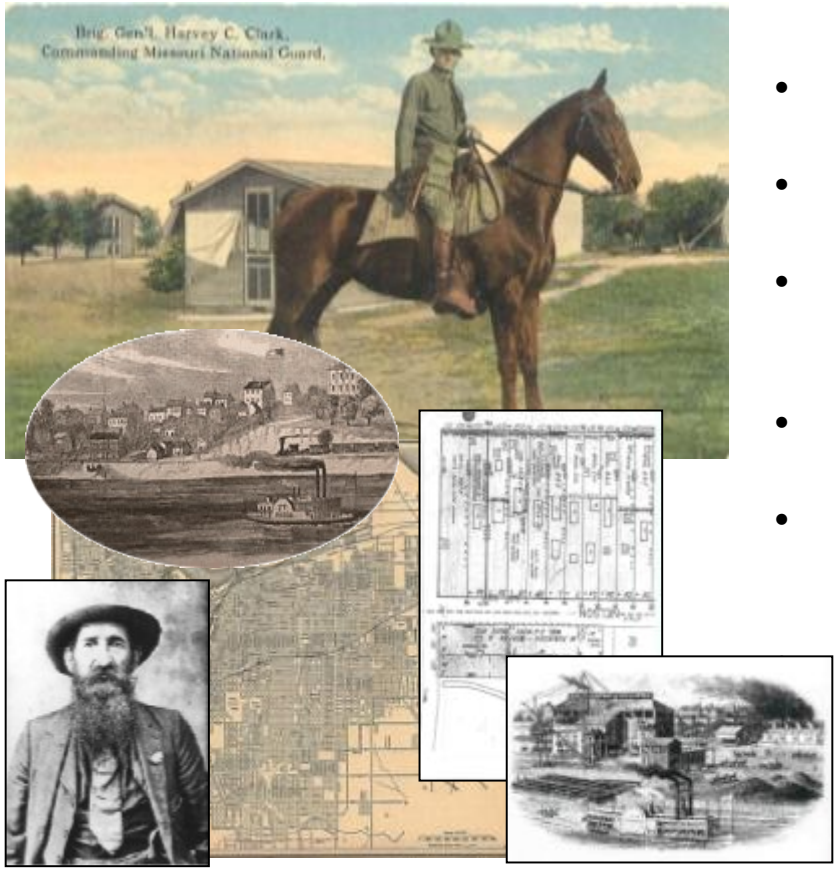
Not all Native American groups are federally recognized. Some are State recognized tribes and may be included in the consultation process as interested parties.

Key Point:

Native American Tribes are Federally Recognized. They are a Domestic Sovereign

Background Research

Prior to commencing an undertaking, it is crucial to understand what information already exists about the area, resources, surveys, mapping, etc. before starting a project.



Critical Questions

- ICRMP: Has the installation's ICRMP been reviewed prior to the undertaking?
- Has the area in question already been surveyed for archaeological or architectural resources?
- When was the survey completed?
- Does your installation have an archaeological sensitivity maps?
- Has your military installation done any predictive modeling?
- Does the state you are working in have an online database of sites and surveys?
- Are there any maps of the area (historic maps, soil survey maps, or construction drawings)?
- Were any buildings at the installation constructed between 1946 and 1991 specifically for Cold War missions?
- Were other structures utilized for Cold War missions?
- What was the area used for prior to the proposed construction (e.g., are there Unexploded Ordinance (UXO) concerns?
- Have the specific consulting parties (SHPO/THPO, Native American groups, etc.) been notified of the undertaking?

Archaeological Survey

The stages of an archaeological survey/inventory, investigation or mitigation as defined in Section 106 of the National Historic Preservation Act, include three basic steps described in the following slides; **Archaeological Survey, Archaeological**

- **Survey/Inventory**: The process of determining what resources are present in a given area by identifying a defined area, determining the boundaries of said area, and recording archaeological sites within the defined area.

- There is no one standard approach to identification. The Secretary of the Interior's (SOI) Standards for Identification should be considered, along with pertinent state, tribal, and local procedures, but there is no absolute standard. The individual making the eligibility statement must meet the SOI's professional qualifications standards (36 CFR 61) Professional Qualifications Standards.

- Refer to state guidelines for individual DoD installation. SHPO Websites

Questions the CRM should ask prior to an undertaking:

- Have any archaeological surveys been conducted? (results)
- When was the survey completed?
- What methodology was used?
- Do results correspond with what is expected

Archaeological Evaluation

The National Historic Preservation Act requires federal agencies to evaluate the impact of all federally funded or permitted projects on historic properties (cultural resources, buildings, archaeological sites, etc.) through a process known as *Section 106 Review*. This act also created the National Register of Historic Places, the list of National Historic Landmarks, and the State Historic Preservation Offices.

- **Evaluation**: How valuable to our history is the identified cultural resource? After sites have been identified and recorded they are tested for "significance", which is "eligibility" for the National Register of Historic Places (NRHP). Evaluations involve additional research (archaeological excavation, historic records, oral history, etc.) to fully understand the prehistoric/historic value of the resource. Does the resource have the potential to make significant contributions to our knowledge of prehistory/history or is representative of our heritage. Does it meet one or more of the criteria listed below?

- Refer to state guidelines for individual DoD installation. SHPO Websites

- For a property to be eligible for the National Register, it must meet at least one of the four National Register main criteria:
  - **Criterion A**, "Event," the property must make a contribution to the major pattern of American history.
  - **Criterion B**, "Person," is associated with significant people of the American past.
  - **Criterion C**, "Design/Construction," concerns the distinctive characteristics of the building by its architecture and construction, including having great artistic value or being the work of a master.
  - **Criterion D**, "Information potential," is satisfied if the property has yielded or may be likely to yield

Archaeological Mitigation

Once an archaeological site is determined to be eligible for inclusion in the National Register, the effect a project may have on the property must be assessed.

Mitigation is a way to remedy or offset an adverse effect or a change in a historic property's qualifying characteristics in such a way as to diminish its integrity. Treatment is the act of mitigating those effects or how one goes about implementing the mitigation measure(s) agreed upon in consultation. Thus, a mitigation plan for the undertaking may contain several treatment plans, one for each property being adversely affected. Data recovery is a common mitigation measure that through implementation of a treatment plan, retrieves the important information present within an archaeological site that makes it eligible before the site's integrity is

- **Mitigation**: Sites that have been determined as eligible for the NRHP need to be protected and preserved. If these sites must be impacted then "mitigation" must take place. Mitigation attempts to avoid negative impacts by 1) altering the plan of impact so the resource is not affected or 2) record the historically valued information imbedded in the resource, so that the information is preserved.

- For an archaeological site, avoidance of the property results in a determination of no effect. If avoidance is not possible, a determination of adverse effect is made. Mitigation may be excavation and retrieval of artifacts that reflect the life ways of Native Americans, or photographs of an historic structure. When a mitigation is necessary, the lead federal agency must submit a detailed data recovery plan to the SHPO/THPO and consultation with interested parties for review and comment. If the mitigation is to be undertaken in completion of Section 106 responsibilities, the Advisory Council on Historic Preservation (ACHP) must also be contacted. The excavation of a significant portion of the site to be impacted, analysis of the artifacts and features, reporting of the results, and possib dissemination of the information w

- Refer to state guidelines for individ SHPO Websites

Alternative or Creative Mitigation (Archaeology)

These terms refer to alternatives to archaeological data recovery as mitigation for an undertaking's adverse effects. Such approaches can either be implemented alone or as part of a broader mitigation package.

The concept of "alternative" or "creative" mitigation is consistent with the definition of "mitigation" as used in the National Environmental Policy Act regulations of the Council on Environmental Quality [Section 1508.20(c)-(e)], where it includes:
(1) Rectifying the impact by repairing, rehabilitating, or restoring the affected environment; (2) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; and (3) Compensating for the impact by replacing or providing substitute resources or

- **Examples of Alternate or Creative Mitigation**:
- preserving selected eligible archaeological sites and incorporating them into heritage tourism plans while allowing others to be lost;
- burying sites under fill or incorporating them into the undertaking;
- using resources to develop syntheses of existing information on a region or area instead of, or in addition to, using them on data recovery;
- use of barriers to route traffic away from eligible archaeological sites;
- using resources to develop virtual or Web-based reports or educational media that ot
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- All mitigation methods are completed in

Prehistoric Archaeology

Prehistoric archaeology is the scientific study of human cultures based on analysis of material remains before historical records began to be used. Here is a list of some prehistoric sites that could be encountered on military installations:

- Rockshelter or Cave
- Extractive (Quarry, Workshop)
- Habitation (Camp, Village, Hamlet, Pithouse)
- Defensive works
- Ceremonial (Stone Mound, Earth Mound, Earthwork, Cemetery, Stone Circle, Petroglyph/Pictograph)
- Cooking Pits, Hearths, Fire Pits, Tra
- Shell Midden
- Midden
- Lithic Scatter
- Weir
- Isolated Find
- Kiva
- Cairn

Artifact Types: Prehistoric

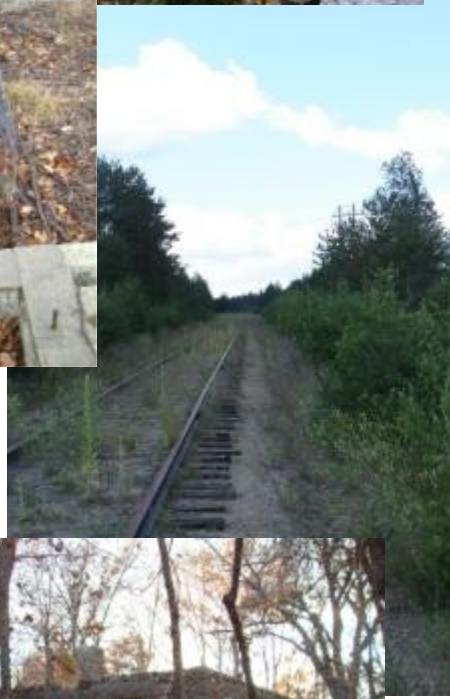
Projectile Points
Ceramics
Bone tools
Shell jewelry
Shell tools
Pipes
Fabric
Effigy ceramics
Funerary articles
Stone tools
Copper

How do you interpret the value of the artifacts recovered?

Historical Archaeology

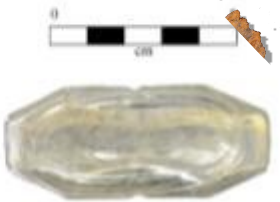
Historical archaeology is the scientific study of human cultures based on analysis of material remains after

- Residential
- Commercial (Millrace, Canal, Barn, Sawmill)
- Social (Dance Hall)
- Government (Public Building)
- Mortuary (Cemeteries, Burial/Grave)
- Religious (Church)
- Educational (School)
- Recreational (Still)
- Industrial (Factory)
- Healthcare (Hospital)
- Fences
- Wells
- Military (Battlefields, Monuments, Stockades)
- Transportation (Roads, Railroads, Bridges)
- Submerged (Ship Wreck)
- Foundations
- Dumps
- Artifact Scatters



Artifact Types: Historical

Coins
Dishes
Eating utensils
Clothes
Furniture
Personal items
Military articles
Etc….



Architectural Survey

as defined in Section 106 of the National Historic Preservation Act, include these basic steps described in the following slides; **Architectural Survey, Architectural Evaluation,** and **Architectural Mitigation.**

Agencies are responsible for identification of historic properties and should refer to state guidelines for individual DoD installation. SHPO Websites

The individual making the eligibility statement must meet the SOI's professional qualifications standards (36 CFR 61) Professional Qualifications Standards .

- **Survey/Inventory**: Identified as a survey. Unlike archaeological surveys, historic architectural surveys often need to take into account not only specific buildings, structures, or object, but also the viewshed surrounding the resource that an action may effect also known as the "built environment".

NR Bulletin 15 defines common terms when describing the built environment:

- **Building** – a man-made structure with a roof and walls standing more or less permanently in one place created to shelter any form of human activity
- **Structure** – used to distinguish from buildings those functional constructions made usually for purposes other than creating human shelter
- **Site** – location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archeological value regardless of the value of any existing structure
- **Object** – used to distinguish from buildings and structures those constructions that are primarily artistic in nature or are relatively small in scale and simply constructed.
- **District** – possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development
- **Landscape** – a geographic area which has undergone past modification by human design or use in an identifiable pattern, or is the relatively unaltered site of a significant event, or is a natural landscape with important traditional cultural values.

Questions the CRM should ask prior to an undertaking:

- Has an architectural survey been conducted?

Architectural Evaluation

As stated previously, the National Historic Preservation Act requires federal agencies to evaluate the impact of all federally funded or permitted projects on historic properties through a process known as *Section 106 Review*. An architectural survey can include the documentation of only the buildings and structures to be impacted directly as well as those within a viewshed of the proposed action. Impacts to the [illegible] considered.

- **Evaluation**: How valuable to our history is the identified cultural resource? Like archaeological sites, architectural resources are evaluated for their “significance”, which is “eligibility” for the NRHP. Evaluations involve additional research (historic records, historic maps, property valuation administration records, archival records, and oral histories, for example) to fully understand the context of both the individual resource documented as well as its relationship to adjacent buildings and the surrounding landscape as appropriate. Developing a historic context for both the individual building and its environment is vital to assessing if it meets one or all of the criteria listed below.

- Refer to state guidelines for individual DoD installation. SHPO Websites

- For a property to be eligible for the National Register, it must meet at least one of the National Register criteria:
  - **Criterion A**, "Event," the property must make a contribution to the major pattern of American history.
  - **Criterion B**, "Person," is associated with significant people of the American past.
  - **Criterion C**, "Design/Construction," concerns the distinctive characteristics of the building by its architecture and construction, including having great artistic value or being the work of a master.
  - **Criterion D**, "Information potential," is satisfied if the property has yielded or may be likely to yield information important to prehistory or history.
  - **Criterion Consideration G**, “Buildings under 50 years of age,” Structures can be associated with events or themes, most specifically in regards to Cold

Architectural Mitigation

Once an architectural resource is determined to be eligible for inclusion in the National Register, the effect a project may have on the property must be assessed.

Mitigation is the action decided in consultation with the SHPO to offset an adverse impact from a proposed action that diminishes the resource's integrity of location, materials, setting, association, design, feel, and workmanship. Mitigation efforts range in type, depending upon the complexity of the project and the adverse impact. Examples of mitigation include large format photographic documentation; development of a more detailed historic context; creation of a mitigation and treatment plan; and the production of educational materials.

- **Mitigation**: Mitigation offers a way to preserve the history of the site while maintaining project goals. The goal is to preserve valued information and minimize or avoid adverse impacts to the resource. Mitigation attempts to avoid negative impacts by 1) altering the plan of impact so the resource is not affected or 2) record the historically and architecturally significant features of the resource.

- For a historic building, only by avoiding a direct impact to the resource or its surrounding environment can be considered no effect. If the proposed action cannot avoid the historic resource, the lead federal agency must consult with the SHPO and interested parties to determine the proper course of action to the mitigate adverse impacts. Mitigation requirements are most commonly written up in a Memorandum of Agreement (MOA) or a Programmatic Agreement (PA), which require consultation with the ACHP.
- Refer to state guidelines for individual DoD installation. SHPO Websites

Alternative or Creative Mitigation (Architectural)

These terms refer to alternatives or creative mitigation to architectural resources for an undertaking's adverse effects. Such approaches can either be implemented alone or as part of a broader mitigation package.

The concept of "alternative" or "creative" mitigation is consistent with the definition of "mitigation" as used in the National Environmental Policy Act regulations of the Council on Environmental Quality [Section 1508.20(c)-(e)], where it includes:
(1) Rectifying the impact by repairing, rehabilitating, or restoring the affected environment; (2) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; and (3) Compensating for the impact by replacing or providing substitute resources or

- **Examples of Alternate or Creative Mitigation**:
- Creating visual barriers (e.g., trees) that reduce the visual impacts to a structure;
- Installing new HVAC equipment in locations that are not visible from the surrounding area (e.g., on the roof or behind b

- Installing solar panels on the roof will reduce energy costs and will likely not alter the historic nature of the building;

- Installing ground source heat pumps to reduce energy costs and will likely not alter the historic nature of the building;
- **<u>All mitigation</u>** methods are completed in **<u>consultation</u>** with SHPO, THPO, ACHP and potentially individual DoD installation.

Architectural Survey: HABS/HAER/HALS

Three distinct methods for mitigating the adverse impacts buildings, structures, and landscapes are the Historic American Buildings Survey (HABS), the Historic American Engineering Record (HAER), and The Historic American Landscapes Survey (HALS). HABS was the nation's first preservation program, but HABS/HAER/HALS is now usually completed as mitigation of an impact rather than a survey due to cost. A brief description of each follows. Further reading on these topics can be found at the National Park Service website.

Historic American Buildings Survey (HABS):

- Focus is contextual
- Armories are a good example of buildings documented under HABS

Historic American Engineering Record (HAER):

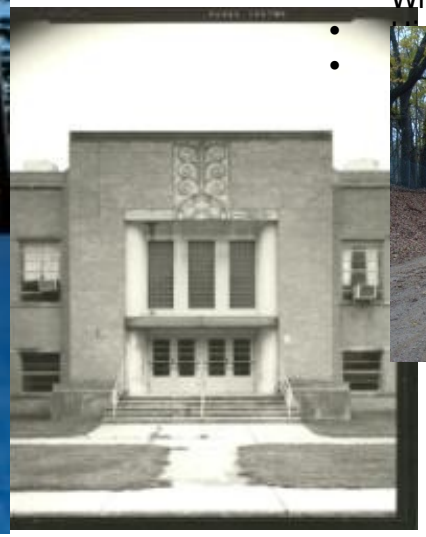
- Documents historic sites and structures related to engineering and industry
- Focus on machinery and processes more so than the building fabric
- Bridges are good example of structures documented under HAER

Historic American Landscapes Survey (HALS):

- Landscapes include gardens, cemeteries, farms, quarries, nuclear test sites, reservoirs/dams, suburbs, and abandoned settlements
- Camp Clark in Missouri, Territorial Road in Michigan, and Arnold AFB in Tennessee are good examples of military landscapes

All three documentation programs include:

- Large format photographs
- Written narrative
-
-

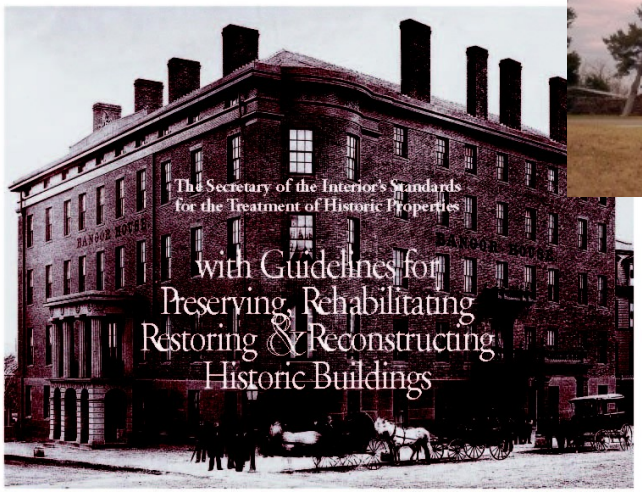


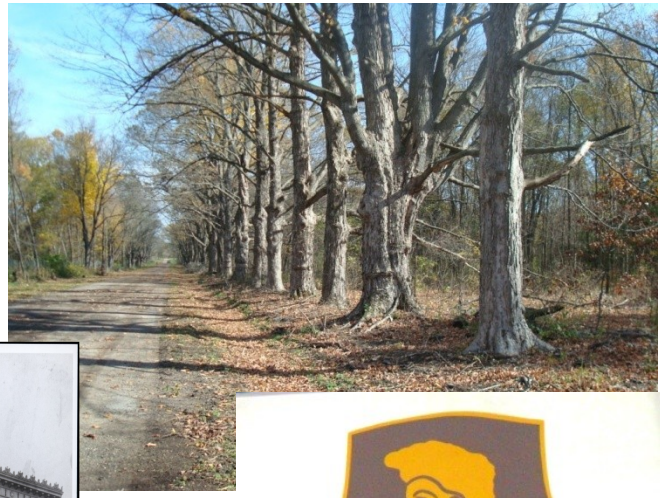
Architectural Survey: Maintenance and Treatment Plans

Resources determined eligible need to be maintained according to the Secretary of the Interior's standards for the treatment of historic properties. Maintenance and treatment plans provide specific information to maintain historic buildings, structures, and landscapes. This type of document can be created out of specific nee as a mitigation document.

Specific topics in a maintenance and treatment plan include:

- Historically and architecturally significant features
- Historic context for the individual resource, historic district, or landscape
- Summary of alterations to the resource, historic district, or landscape
- Recommendations for maintaining the historic and architecturally significant features based on materials, such as masonry, metal, wood, glass, etc.
- Results of invasive or non-invasive testing
- Cost estimates
- Recommendations on consultation with agencies and consulting parties if appropriate



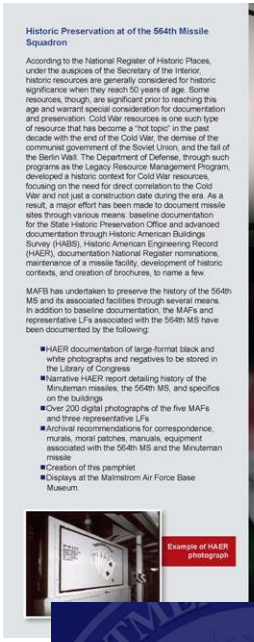


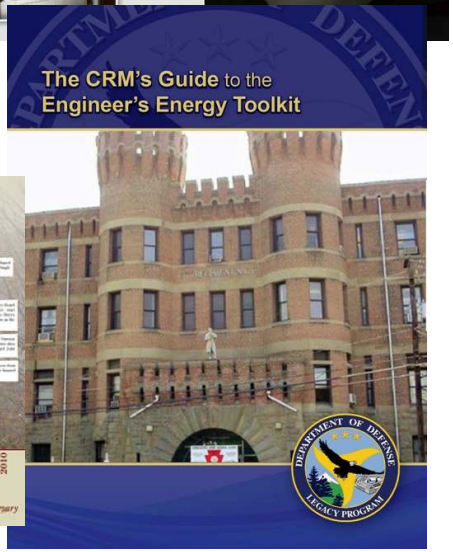
Architectural Survey: Educational Materials

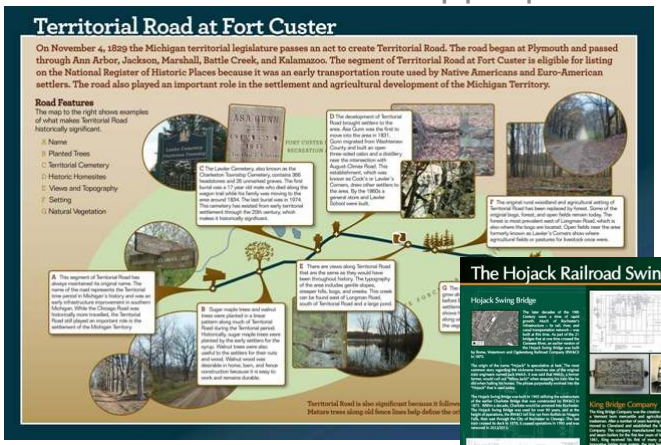
A new component being developed within architectural surveys is the creation of educational materials. Educational materials provide a way to mitigate an adverse impact by preserving the history of a building, historic district, or landscape and disseminating the information to the public. There are no formal guidelines for educational materials and should be developed in consultation with appropriate

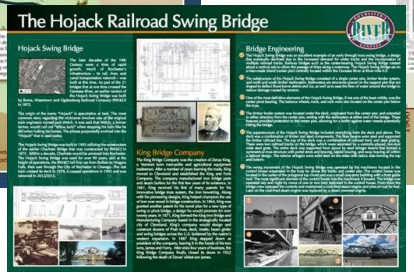
Types of educational materials that can be created include:

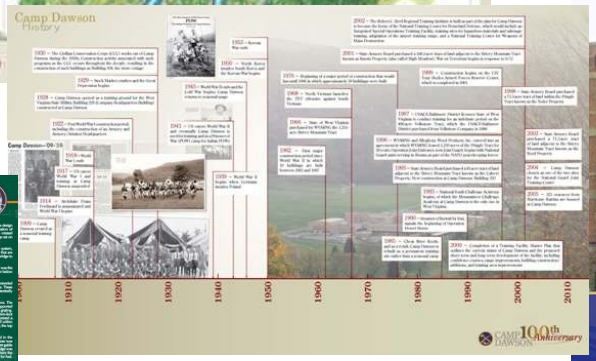
- Pamphlets/brochures
- Booklets
- Toolkits
- Permanent museum displays
- Outdoor signage
- Videos
- Websites
- Archives (paper and artifact)
- Temporary celebration displays
- Architectural renderings






Territorial Road at Fort Custer
On November 4, 1829 the Michigan territorial legislature passes an act to create Territorial Road. The road began at Plymouth and passed through Ann Arbor, Jackson, Marshall, Battle Creek, and Kalamazoo. The segment of Territorial Road at Fort Custer is eligible for listing on the National Register of Historic Places because it was an early transportation route used by Native Americans and Euro-American settlers. The road also played an important role in the settlement and agricultural development of the Michigan Territory.
Road Features





Other Types of Cultural Resources on DoD Property

In addition to the traditional prehistoric and historical sites listed in the previous slides, when considering cultural resources that could be located on a military installation, care should be taken to consider other types of resources that could be eligible for the NRHP or important to Native American Tribes and could

- Battlefields
- Aerial Targetry (including Bombs)
- Firing Ranges (including Targets)
- Emplacements (Bivouacs, Foxholes, Trenches)
- Antenna or Communications Towers
- Land Navigation Markers
- Flagpoles
- Walkways
- Gates
- Static Displays
- Runways/Tarmacs
- Rail Spurs
- Speed Test Tracks
- Jump Towers
- Storage Igloos
- Hangars
- Visual Observation Towers
- Rocket Test Stands/Silos
- Aircraft Crash Sites
- Loading Pits (for loading aircraft and munitions)
- Submerged Resources (Sunken Aircraft, Ships, etc.)
- Sacred Animals or Sacred Plants used in traditional Native American practices (e.g., medicine) **(Tribal Consultation required)**
- Sacred sites / Traditional Cultural Properties
- Other Supporting Infrastructure.

Traditional Cultural Property (TCP) definition

Traditional Cultural Property as defined by National Park Service, Bulletin 38
.

A National Register property is significant as Traditional Cultural Property and eligible for recognition in the National Register when it is associated with cultural practices or beliefs of a living community and is defined by these criteria:

- that are rooted in that community's history,
- are important in maintaining the continuing cultural identity of the community;
- that constitute a location associated with the traditional beliefs of a Native American group about the group's origins, cultural history, or the nature of the world;
- are a location where Native American or Native Hawaiian religious practitioners have historically gone, and are known or thought to go today, to perform ceremonial activities in accordance with traditional cultural rules of practice; or
- are a location where a community has traditionally carried out economic, artistic, or other cultural practices important in maintaining its historic identity.

Example of TCPs

Traditional Examples

- a location associated with the traditional beliefs of a Native American/Native Hawaiian group about its origins, its cultural history, or the nature of the world;
- a location where Native American/Native Hawaiian religious practitioners have historically gone, to perform ceremonial activities in accordance with traditional cultural rules of their practice/beliefs;
- a location where any community has traditionally carried out economic, artistic, or other cultural practices important in maintaining its historic identity.

Non-traditional Examples

- a rural community whose organization, buildings and structures, or patterns of land use reflect the cultural traditions valued by its long-term residents;
- an urban neighborhood that is the traditional home of a particular cultural group, and that reflects its beliefs and practices;

Curation:

Federal law, regulations, and service-wide guidance dictate that installations are required to curate (i.e., provide professional, long-term care for) all archaeological collections recovered from DoD-owned and managed lands.

- Curation should begin before archaeological materials are collected or a document is created.
  - A curation plan should be developed and implemented.
- Consider that all curation actions may have a permanent, rather than temporary, effect.
  - Inappropriate curation methods have decreased “survivability” of many collections.
- Document each action.
  - Maintain chain of custody and administrative control over collections.
- Follow guidelines in 36 CFR Part 79, Curation of Federally-Owned and Administered Archeological Collections.
  - Curate collections in a professional repository that meets the basic standards outlined 36 CFR Part 79.

Training the Cultural Resource Manager

Module 3

How Are Cultural Resources Managed?

How is "significance" defined?

To be significant, a cultural resource must have important historical, cultural, scientific, or technological associations and it must manifest those associations in its physical substance (NPS-28:9;
National Register Evaluation Criteria
How to Apply the National Register Criteria for Evaluation
National Register of Historic Places Program: Publications

Qualifications as defined by the Secretary of the Interior, require a minimum education and experience required to perform identification, evaluation, registration, and treatment activities.
Professional Qualifications Standards

Each nomination contains a narrative section that provides a detailed physical description of the property and justifies why it is significant historically with

- The criteria applied to evaluate properties for the National Register (NR) are listed below. These criteria are worded in a manner to provide for a wide diversity of resources. To be eligible for the NR a resource must meet a set of standards that apply to the quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and:

  - **Criterion A,** that are associated with events that have made a significant contribution to the broad patterns of our history; or

  - **Criterion B**, that are associated with the lives of persons significant in our past; or

  - **Criterion C**, that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

  - **Criterion D**, that have yielded, or may be likely

Factors for NRHP Evaluation

What makes a cultural resource eligible?

[How to Evaluate the Integrity of a Property]

Integrity is the ability of a property to convey its significance. To be listed in the National Register of Historic Places, a property must not only be shown to be significant under the National Register criteria (A-D), but it also must have integrity. The evaluation of integrity is sometimes a subjective judgment, but it must always be grounded in an understanding of a property's physical features and how they relate to its significan

- **Location -** is the place where the historic property was constructed or the place where the historic event occurred.
- **Design** - is the combination of elements that create the form, plan, space, structure, and style of a property.
- **Setting -** is the physical environment of a historic property.
- **Materials -** are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.
- **Workmanship -** is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.
- **Feeling -** is a property's expression of the aesthetic or historic sense of a particular period of time.

Association - is the direct link between an important historic event or person and a historic property.

Equally important, the resource must possess these critical qualities that include integrity, design, setting, materials, workmanship, feeling, and association.

The criteria are applied differently for different types

Factors for NRHP Evaluation (cont.)

What about properties that are less than 50 years in age?

[How to Apply the Criteria Considerations]

Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past fifty years are not considered eligible for the National Register.

A F-117A Stealth aircraft undergoing icing tests in the main chamber of the McKinley Climatic Laboratory at Elgin Air Force Base, Fort Walton Beach, FL. The laboratory, whose period of significance extends to within the past fifty years, was listed under Criterion G based on exceptional importance for its contribution to the development of military aviation during the World War II and Cold War eras, and for its

However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following seven (7) categories (36 CFR 60):

A) a religious property deriving primary significance from architectural or artistic distinction or historical importance; or

B) a building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or

C) a birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his or her productive life; or

D) a cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, from association with historic events; or

E) a reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or

F) a property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or,

G) a property achieving significance within the past 50 years if it is of exceptional importance such as an special value or quality in illustrating the Cold War

Training the Cultural Resource Manager

Module 4

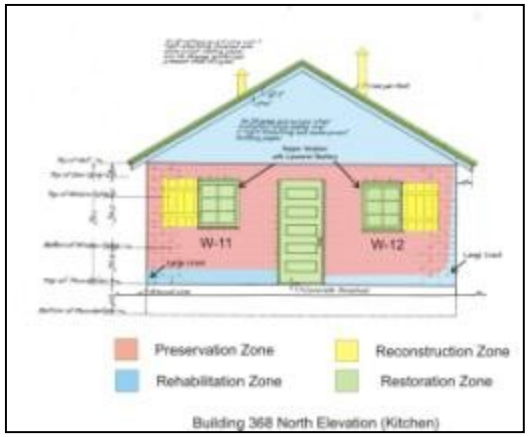
How Are Cultural Resources Protected?

Protecting Cultural Resources

Alternatives to mitigation or additional mitigation activities may include:
Heritage Documentation Programs

Preservation in place/in situ (protective fencing or interpretive signage)

Site stabilization (i.e., erosion or other adverse effects)



Preservation or conservation plans developed with SHPO/THPO and Agency consultation

Detailed documentation (HABS,HAER, HALS)

Intentional burial (may not be acceptable in all

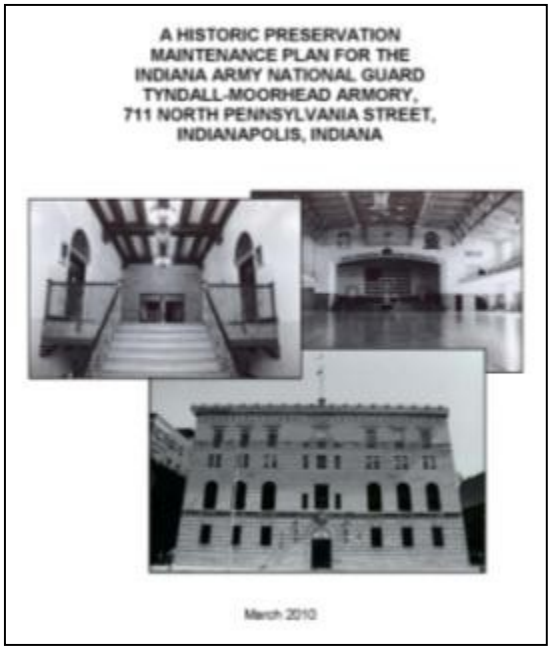
Public outreach/education

Protecting Cultural Resources (cont.)

Re-use or re-purposing a building, rather than relegating the building to demolition. By changing the primary function of a building while retaining the building's structural and unique aesthetic details, is known as adaptive re-use of a building and is highly encouraged so long as it does not take away from the building's integrity, monitoring may be necessary.

Building originally used as telecommunications building now used as a data collection building

Occasionally a building's façade is retained while the structure's interior is altered. It is critical that the process comply with the PA and monitoring r



If a historical resource is suffering decay, it is important to have a plan for treatment or Preservation in place.

If demolition of a building is the only recourse, then following documentation, and in accordance with energy standards, building materials may be salvaged and re-used.

Management and Protection of Cultural Resources

Create buffer zones, put up fencing
Educate others
Interpretation – makes others aware of significance
Withhold site locations from public disclosure
Create / Update ICRMP
Create / Update SOPs
Create / Update Mapping/GIS
Create / Update Buffers / Zones
Create / Update Historic Maintenance and Treatment Plans
Ongoing Consultation – maintain relations
Coordinate with others on and off Post

- A reasonable and good faith effort to learn enough to make reasonable judgments about effects.
- Effects must be taken into account, but protection or mitigation efforts will vary depending upon the scope of a particular undertaking.
- Avoidance of a site is not the same as preservation.
  - Maintain an up-to-date listing of all historic properties,
  - Maintain historic status in conjunction with real property inventory and reporting guidelines.
  - Withhold from public disclosure information about the location, character, or ownership of a historic property when the GC determines that disclosure may cause risk of harm to the historic property or may impede the use of a traditional religious site by practitioners.
  - Consider alternatives for historic properties, including adaptive reuse, that are not needed for current or

Threats to Cultural Resources

Threats to Cultural Resources

Threats to Cultural Resources and what can be done to minimize those effects?

Erosion
Illicit collector behavior
Vandalism
Demolition
Decay
Re-purposing
Controlled Burn
Plowing / Fire breaks
Development
Urbanization
Encroachment

What kinds of threats exist?

Threats range from the slow and relentless (i.e., time), and the swift and catastrophic (i.e., hurricanes, flooding, earthquakes, tornados).

- Immediate Stabilization & Continuing Operations – Develop mechanisms for support for immediate stabilization and encourage continuity of operational plans for historic preservation.

- Key Points:

  Be prepared by;

  - Taking steps to mitigate potential damage,
  - Provide better response and recovery from disasters be they natural or manmade,
  - Have a preservation plan and agreement documents.

What Could Damage Cultural Resources

What activities should the CRM consider that could be harmful to archaeological and architectural resources located on base?

Natural resources management activities, as well as training and routine operational and maintenance activities that **could require Section 106 consultation** may include the following:

- Tracked and wheeled vehicle maneuvering;
- Artillery impact and live-firing of weapons;
- Facility construction;
- Right-of-way easements;
- Construction of pedestrian trails;
- Construction of a modern structure or feature within the viewshed of an historic property or district;
- Construction of new roads (dirt or paved);
- Construction of fire breaks in new areas which involve earthmoving activities;
- Construction of new food plots, or ground disturbance at food plots located on known archaeological sites;
- Forest management (i.e., timber harvesting, tree planting, prescribed burning);
- Erosion control measures that alter original ground surface;
- Remediation activities that involve building demolition and earth excavation to remove contaminants;
- Other earthmoving activities (i.e., terrain modification);
- Plowing and disking in historically agricultural areas; and
- Repair, alteration, modification, demolition, or

What Activities Are Not Likely to Damage Cultural Resources

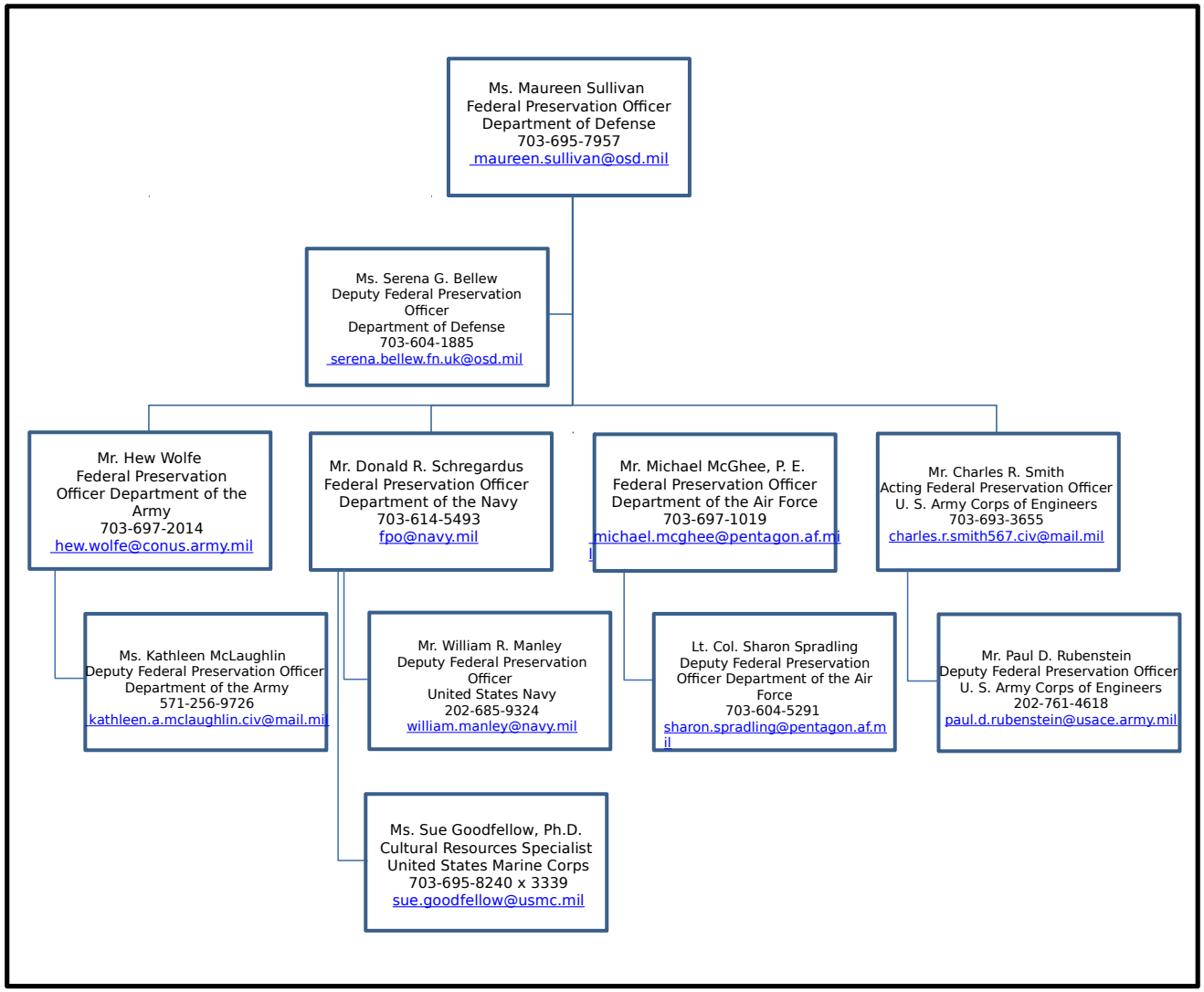
What activities should the CRM consider non-destructive that would not be harmful to archaeological and architectural resources located on base?

Natural resources management activities, as well as training and routine operational and maintenance activities that generally **do not require Section 106 consultation** include:

- Mowing and routine landscaping;
- Use of existing excavated areas;
- Munitions storage;
- Fueling and refueling activities;
- Repair, alteration, modification, demolition, or disposal of structures less than 50 years of age (exceptions apply to properties that meet Criteria Considerations that would make it eligible for listing to the NRHP); and
- Transfer of a structure under 50 years of age to another State or Federal Agency.

Sources of Information and Support - DoD

- Sources of information and Support on DoD Facilities;
  - Who is in my chain of command (Installation Specific Supervisory Personnel).
  - Neighboring CRM same agency, neighboring CRM other agencies
  - ICRMP provides critical information to new CRM and should be reviewed immediately -



Sources of Information and Support – Off Post

Sources of support for information may vary significantly by region;

Non-Military resources offer many resources of information that could benefit the CRM:

Facilities Manager(s) GIS data bases, personnel INRMPs, SOPs, PAs, MoAs, and MoUs (DoD or agency wide)

Sources of information off post/base:

- SHPO – SHPO Websites
- THPOs, Native American Tribes - Tribal Preservation Program
- Federal Agency Historic Preservation Programs and Officers - Federal Agency Historic Preservation Programs and Officers - Agency Information
- ACHP, oversees the Section 106 process - Working with Section 106
- NPS, Keeper of the National Register of Historic Places and oversees the National Historic Landmark Program - National Register of Historic Places Program
- Universities - Universities with Historical and Underwater Programs

- Historical and Genealogical Societies - Directory of Historical Societies
- Certified Local Governments - SHPO Websites - CLG Links
- other local or regional interest groups - Resources by State/Province
- Societies and Associations

Glossary

ACHP Advisory Council of Historic Preservation
ADA Americans with Disabilities Act
AIRFA American Indian Religious Freedom Act
APE Area of Potential Effect
CRM Cultural Resource Management/Manager
FGS Final Governing Standards
GIS Geographic Information System
HABS Historic American Buildings Survey
HAER Historic American Engineering Record
HALS Historic American Landscape Survey
ICRMP Integrated Cultural Resources Management Plan
INRMP Integrated Natural Resources Management Plan
MOA Memorandum of Agreement
MOU Memorandum of Understanding
NAGPRA Native American Graves Protection and Repatriation Act
NHPA National Historic Preservation Act
NPS National Park Service
NRHP National Register of Historic Places
PA Programmatic Agreement
PBCUA Public Buildings Cooperative Use Act
SHPO State Historic Preservation Office
SOP Standard Operating Procedure
TCP Traditional Cultural Property
THPO Tribal Historic Preservation Officer

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Suggested Readings

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2000 ***Sacred Objects and Sacred Places: Preserving Tribal Traditions.*** University Press of Colorado, Boulder. [ISBN 0-87081-579-2]

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2009 ***Assessing Site Significance: A Guide for Archaeologists and Historians.*** (Second edition). Altamira Press, Walnut Creek, California. [ISBN 978-0-7591-1127-1]2

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2013 ***Cultural Resource Laws and Practice.*** (Fourth edition). Altamira Press, Walnut Creek, California. [ISBN 978-0-7591-2175-1]

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2003 ***A Richer Heritage: Historic Preservation in the Twenty-First Century.*** University of North Carolina Press, Chapel Hill. [ISBN 0-8078-5451-4]

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2011 ***A Companion to Cultural Resource Management.*** *Wiley-Blackwell, Chichester, United Kingdom. [ISBN 978-1-4051-9873-8]*

Legislation

- **Antiquities Act of 1906** – Any person who knowingly disturbs or destroy any historic or prehistoric site or any object of antiquity, on lands owned or controlled by the Government without permission shall, upon conviction, be fined in a sum of not more than five hundred dollars or be imprisoned for a period of not more than ninety days, or shall suffer both fine and imprisonment, in the discretion of the court. Antiquities Act of 1906

- **Historic Sites Act of 1935** - Establishes as a national policy to preservation for public use of historic sites, buildings and objects. This act led to the eventual establishment within the National Park Service of the Historic Sites Survey, the Historic American Building Survey (HABS), the Historic American Engineering Record (HAER), and the National Historic Landmarks Program. Historic Sites Act of 1935

- **National Historic Preservation Act of 1966 (NHPA)** – This is legislation that is intended to preserve architectural and archaeological sites in the U.S. NHPA
  - **36 CFR 800; Section 106 -** requires Federal agencies to take into account the effects of their undertakings on historic properties. 36 CFR 800; Section 106
  - **36 CFR 79** – This regulation establishes definitions, standards, procedures and guidelines to be followed by Federal agencies to preserve collections of prehistoric and historic material remains, and associated records. 36 CFR 79
- **National Environmental Policy Act of 1969 (NEPA) -** NEPA's basic policy is to assure that all branches of government give proper consideration to the environment prior to undertaking any major federal action that significantly affects the environment. NEPA

Legislation

- **Archaeological and Historic Preservation Act of 1974 -** This act amends the 1960 Reservoir Salvage Act by providing for the preservation of significant scientific, prehistoric, historic and archaeological materials and data that might be lost or destroyed as a result of flooding, the construction of access roads, relocation of railroads and highways, or any other federally funded activity that is associated with the construction of a dam or reservoir. AHPA
- **American Indian Religious Freedom Act of 1978 (AIRFA)** - states that it is a policy of the United States to protect and preserve for American Indians their inherent right of freedom to believe, express, and exercise the traditional religions of the American Indian, Eskimo, Aleut, and Native Hawaiians, including but not limited to access to sites, use and possession of sacred objects, and the
- **Archaeological Resources Protection Act of 1979 (ARPA)** – This regulation has two major aspects. The first is the lawful excavation and study of archaeological sites. The second is the illegal excavation or removal of an archaeological resource. ARPA
- **Native American Graves Protection and Repatriation Act of 1990 (NAGPRA)** - This law addresses the process for proper treatment and disposition of Native American Human remains. NAGRPA

Legislation

- **Executive Order 13007, Indian Sacred Sites** - to allow Native Americans to worship at sacred sites located on federal property and to avoid adversely affecting the physical integrity of such sites. EO 13007

- **Abandoned Shipwreck Act of 1987** - This law specifies that any wreck that lies embedded a state's submerged lands is property of that state and subject to that state's jurisdiction if the wreck is determined as being abandoned. ASA

- **AR 200-1** – requires the agency to identify historic and/or prehistoric properties within an area that may be impacted by an undertaking and to evaluate those properties' eligibility for nomination to the NRHP. AR 200-1

- For overseas installations, the country-specific FGS requirements.

- Air Force Handbook (AFH) 10-222, Volume 4 – Environmental Guide for Contingency Operations Overseas AFH 10-222
- Army National Guard Program ARNG
- DoDI- 4715.16 Department of Defense Instruction – Cultural Resource Management 4715.16
- Americans with Disabilities Act of 1990 (ADA) ADA
- SECNAV Instruction 4000.35A – Department of the Navy Cultural Resources Program SECNAV 4000.35A
- Public Buildings Cooperative Use Act of 1976 (PBCUA) PBCUA